

but in no case shall the county pay for such deputy service more than is received from the fees of said office.

Conflicting acts repealed.

SEC 3. All acts or parts of acts in conflict or inconsistent with this act are hereby repealed.

In force after January, 1895.

SEC 4. This act shall take effect and be in force from and after January first, 1895.

Approved April 24th, 1894.

CHAPTER 77.

H. F. 97. AN ACT to amend section three thousand seven hundred and eighty four (3784) of the code of one thousand eight hundred and seventy three (1873). [*Compensation of clerk of district court.*]

Be it enacted by the General Assembly of the State of Iowa:

Sec. 3784 Code amended.

SECTION 1. That section three thousand seven hundred and eighty-four (3784) of the code of 1873 is hereby amended by inserting therein after the words "employed" in the 19th line thereof, and before the words, "*provided however,*" the following:

Compensation of deputies.

Where court is held in other than the county seat.

"Except in counties where the district court is held at a place other than the county seat, in which case the deputy or clerk in charge of the office of the clerk at said place, other than the county seat, shall receive the sum of nine hundred dollars (\$900.00) per annum."

Publication clause.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State *Register*, a newspaper published at Des Moines, Iowa, and *Avoca Herald*, a newspaper published at Avoca, Iowa, without expense to the state.

Approved April 24th, 1894.

I hereby certify that the foregoing act was published in the Iowa State *Register* May 5, and in the *Avoca Herald* May 3, 1894.

W. M. McFARLAND, *Secretary of State.*

CHAPTER 78.

H. F. 374. AN ACT authorizing courts to appoint attorneys for minor absent heirs, devisees, legatees or creditors in probate proceedings, and providing for their compensation.

Be it enacted by the General Assembly of the State of Iowa:

Attorney appointed to represent parties in interest where all parties must be notified.

SECTION 1. At or before the hearing of petitions and contests for the probate of wills, for letters testamentary or of administration; for sales of real estate, and confirmation thereof; settlements, partitions, and distribution of estates, setting apart homesteads, and all other proceedings where all the parties interested in the estate are required to be notified thereof, the court may in its discretion, appoint some competent attorney at law to represent in all such proceedings the devisees, legatees, heirs or creditors of the decedent who are minors and have no general guardian in the county, or who are non-residents of the State; and those interested who,

parties, so far as known, for whom the attorney is appointed, who is thereby authorized to represent such parties in all such proceedings had subsequent to his appointment.

court must specify name of the person.

The attorney may receive a fee, to be fixed by the court, for his services, which must be paid out of the funds of the estate as necessary expenses of administration, and upon distribution may be charged to the party represented by the attorney.

Fee of the attorney.

If for any cause, it becomes necessary, the court may substitute another attorney for the one first appointed, in which case the fees must be apportionately divided. The non-appointment of an attorney shall not affect the validity of any of the proceedings.

Another attorney may be substituted.

Approved April 24th, 1894.

CHAPTER 79.

AN ACT for the better protection of persons manufacturing, bottling or selling soda waters, mineral or aerated waters, cider, milk, cream or other lawful beverages, owning or using boxes, bottles, casks, kegs, and barrels.

S. P. 14A.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all persons engaged in the manufacture, bottling or selling of soda water, mineral or aerated waters, cider, milk, cream, or other lawful beverages, in bottles, boxes, casks, kegs or barrels, with their names or other marks of ownership stamped or marked thereon, may file in the office of the recorder of deeds of the county in which such articles are manufactured, bottled or sold, a description of the name or marks so used by them, and cause the same to be printed for three consecutive weeks in a weekly newspaper, printed in the English language, in the county where such articles are manufactured, bottled or sold.

Persons engaged in bottling beverages may adopt trade marks and have same registered.

Publication.

SEC. 2. It is hereby declared to be unlawful for any person or persons, hereafter, without the written consent of the owner or owners thereof, to fill with soda water, mineral or aerated waters, cider, milk, cream or other lawful beverages, or any other articles of merchandise, medicine, compound or preparation for the purpose of sale, or to be furnished to customers, any such bottles, boxes, casks, kegs or barrels, so marked or stamped, or to sell, dispose of, buy or traffic in, or wantonly destroy any such cask, barrel, keg, bottle or box so marked or stamped by the owner or owners thereof, after such owner or owners shall have complied with the provisions of the first section of this act. Any person or persons who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before any justice of the peace or police magistrate in this state, shall be fined five dollars (\$5.00) for each and every cask, barrel, keg

The second use of bottles, boxes, casks, kegs, etc., without written consent of owner.

Violation of this law.

Penalty.